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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,500	07/16/2001	Brad Albert Delanghe		3281

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ALEKSANDR M. MOVSHOVICH
BRAD A. DELANGHE
363 MACKENZIE DR.
SANTA CLARA, CA 95051

EXAMINER

SEDIGHIAN, REZA

ART UNIT PAPER NUMBER

2633

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/905,500	DELANGHE ET AL.	
	Examiner	Art Unit	
	M. R. Sedighian	2633	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 1 and 3-6 are objected because of the following informalities:
 - a) The phrase “downstream data link;” in the last line of claim 1, should change to
---downstream data link.---.
 - b) The phrase “transformer half;” in the last line of claim 3, should change to
---transformer half.---.
 - c) The phrase “downstream data half;” in the last line of claim 4, should change to
---downstream transformer half.---.
 - d) The phrase “the downstream data;” in the last line of claim 5, should change to
--- the downstream data.---.
 - e) The phrase “the downstream data;” in the last line of claim 6, should change to
--- the downstream data.---.

Correction is required.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the downstream data link" in line 16. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "the primary downstream" in line 3, and "said secondary downstream transformer half" in line 6. There are insufficient antecedent basis for these limitations in the claim.

Claim 3 recites the limitation "the said primary downstream" in line 4, and "the secondary downstream transformer half" in line 6. There are insufficient antecedent basis for these limitation in the claim. Furthermore, claim 3 recites "... a phase modulation means with input connected to the said secondary upstream transformer half ...". Figure 2 shows a phase modulator 4-10 having an input connected to the output of clock recovery circuit 4-08, not to the secondary transformer half.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (US patent No: 6,147,963).

Regarding claim 1, Walker teaches an apparatus for contact-less communication system (col. 1, lines 5-10 and fig. 1), comprising: a separable transformer means including a primary upstream transformer half (6, fig. 1) and a secondary upstream transformer half (10, fig. 1) adapted for magnetic coupling (col. 1, lines 5-10), at least one of the halves having a core of ferrite material (col. 6, lines 65-67); a power supply circuit (172, fig. 23) connected to the secondary upstream half (10, fig. 23) including a rectifying means (318, fig. 23) for creating a

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constant DC voltage from the alternating voltage induced in the secondary upstream transformer half by the primary upstream transformer half (col. 26, lines 15-20); a clock recovery circuit (310, fig. 23 and col. 25, lines 56-61) connected to the secondary upstream transformer half (10, fig. 23); an amplitude modulation means to induce the upstream data (col. 6, lines 60-63 and 2, fig. 1) in the primary upstream transformer half (6, fig. 1), the data being sent through the inductive link set up by the primary and secondary upstream transformer halves (col. 6, lines 61-66); a data recovery circuit (4, fig. 1 and 60, 52, fig. 23) connected to the secondary upstream transformer half (10, figs. 1, 23) including an amplitude demodulation means (52, fig. 23) for receiving the upstream data sent via the inductive link set up by the primary and secondary upstream transformer halves (col. 8, lines 44-63); and a second contact-less communication means (4, 12, fig. 1) to provide a downstream data link (col. 7, lines 20-24 and 32, fig. 1).

Walker differs from the claimed invention in that Walker does not specifically disclose operating at a frequency of at least five to ten times the maximum of upstream bit rate. Walker teaches a variable frequency clock that is used for transmitting data (col. 2, lines 7-11, 25-26 and 66, 18, fig. 2 and 42, figs. 2, 26). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention that a variable clock frequency such as the one of Walker, can provide an operating frequency of at least five to ten times of upstream bit rate, to further provide a high speed data transmission.

Regarding claim 2, walker further teaches an amplitude modulation means (4, fig. 1) to induce a downstream data (36, 32, fig. 1) in a primary downstream transformer half (12, fig. 1), the data being sent through an inductive link (40, fig. 1) set up by the primary (12, fig. 1) and secondary (8, fig. 1) downstream transformer halves; and a data recovery circuit (2, fig. 1 and 62,

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52, fig. 2) connected to the secondary transformer half (8, fig. 1) including an amplitude demodulation means (col. 8, lines 60-67 and 2, fig. 1 and 52, fig. 2) for receiving the downstream data (24, fig. 1) sent via the inductive link set up by the primary and secondary downstream transformer halves (col. 6, lines 53-59).

6. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Monod et al. (US Patent No: 5,293,400) in view of Walker et al. (US patent No: 6,147,963).

Regarding claim 1, Monod teaches an apparatus for contact-less communication system (40, 70, fig. 3), comprising: a separable transformer means including a primary upstream transformer half (50, fig. 3) and a secondary upstream transformer half (80, fig. 3) adapted for magnetic coupling (col. 3, lines 1-2), at least one of the halves having a core of ferrite material (col. 2, lines 50-66); a power supply circuit (94, fig. 3) connected to the secondary upstream half (80, fig. 3) including a rectifying means (96, fig. 3) for creating a constant DC voltage from the alternating voltage induced in the secondary upstream transformer half by the primary upstream transformer half (col. 6, lines 1-5); a clock recovery circuit connected to the secondary upstream transformer half (col. 1, lines 57-62); an amplitude modulation means to induce the upstream data (col. 3, lines 40-42, col. 4, lines 12-20) in the primary upstream transformer half (50, fig. 3), the data being sent through the inductive link set up by the primary and secondary upstream transformer halves (col. 4, lines 14-22, 30-32); a data recovery circuit (82, 84, fig. 3) connected to the secondary upstream transformer half (80, fig. 3) including an amplitude demodulation means (84, fig. 3) for receiving the upstream data sent via the inductive link set up by the primary and secondary upstream transformer halves (col. 6, lines 25-30); and a second contact-

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less communication means (72, 74, fig. 3) to provide a downstream data link (col. 1, lines 5-15). Monod differs from the claimed invention in that Monod does not specifically disclose operating at a frequency of at least five to ten times the maximum of upstream bit rate. However, it is well known to transmit data under the control of variable clock frequency, or for example, to operate at a frequency of five to ten times of a bit rate. Walker teaches a data transmission system (2, 18, 6, fig. 1), wherein a variable frequency clock is used for transmitting data (col. 2, lines 7-11, 25-26 and 66, 18, fig. 2 and 42, fig. 26). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention to incorporate a variable clock frequency, as it is taught by Walker, for clock signal transmission in the data communication system of Monod to transmit high speed data.

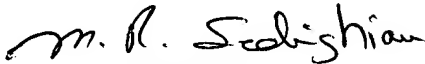
7. Claims 3-6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. R. Sedighian whose telephone number is (571) 272-3034. The examiner can normally be reached on M-F (from 9 AM to 5 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


M. R. SEDIGHIAN
PRIMARY EXAMINER